

**Senate File 213 - Introduced**

SENATE FILE 213

BY SODDERS

**A BILL FOR**

1 An Act authorizing tribal governments to establish a force of  
2 reserve peace officers.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 80D.1, Code 2013, is amended to read as  
2 follows:

3 **80D.1 Establishment of a force of reserve peace officers.**

4 1. The governing body of a city, a county, the state  
5 of Iowa, or a judicial district department of correctional  
6 services may provide, either separately or collectively through  
7 a chapter 28E agreement, for the establishment of a force of  
8 reserve peace officers, and may limit the size of the reserve  
9 force. In the case of the state, the department of public  
10 safety shall act as the governing body.

11 2. The governing body of a tribal government may provide for  
12 the establishment of a force of reserve peace officers and may  
13 limit the size of the reserve force.

14 3. This chapter constitutes the only procedure for  
15 appointing reserve peace officers.

16 Sec. 2. **NEW SECTION. 80D.6A Status of reserve peace**  
17 **officers of a tribal government.**

18 Reserve peace officers of a tribal government shall serve as  
19 peace officers on the orders and at the discretion of the chief  
20 of the police force of the tribal government. While in the  
21 actual performance of official duties, reserve peace officers  
22 of a tribal government shall be vested with the same rights,  
23 privileges, obligations, and duties as any other peace officers  
24 of the tribal government.

25 Sec. 3. Section 80D.12, Code 2013, is amended to read as  
26 follows:

27 **80D.12 Benefits when injured.**

28 1. Hospital and medical assistance and benefits as provided  
29 in chapter 85 shall be provided by the governing body to  
30 members of the reserve force who sustain injury in the course  
31 of performing official duties.

32 2. For reserve police officers of a tribal government,  
33 hospital and medical assistance and benefits shall be provided  
34 by the tribal government to members of the reserve force who  
35 sustain injury while performing official duties in the same

1 manner as for a regular peace officer of the tribal government.

2     Sec. 4. Section 85.61, subsection 8, Code 2013, is amended  
3 to read as follows:

4        8. The words "*reserve peace officer*" shall mean a person  
5 defined as such by section 80D.1, subsection 1, who is not a  
6 full-time member of a paid law enforcement agency. A person  
7 performing such services shall not be classified as a casual  
8 employee.

### EXPLANATION

10 This bill authorizes a tribal government to establish a  
11 force of reserve peace officers.

12 The bill authorizes the governing body of a tribal  
13 government to establish a force of reserve peace officers and  
14 to limit the size of the force.

15 New Code section 80D.6A provides that reserve peace officers  
16 of a tribal government shall serve as peace officers at the  
17 discretion of the chief of the police force for the tribal  
18 government and shall be vested with the same authority as any  
19 other peace officer of the tribal government while in the  
20 performance of their duties.

21 Code section 80D.12, concerning medical benefits for reserve  
22 peace officers, is amended to provide that reserve peace  
23 officers of a tribal government shall be provided medical  
24 benefits for injuries while performing their duties in the same  
25 manner as for regular peace officers of the tribal government.

26 Code section 85.61 is amended to provide that a reserve peace  
27 officer for purposes of workers' compensation does not include  
28 a reserve peace officer of a tribal government.